

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 25-CV-80606-WPD

KAREN BISHOP,

Plaintiff,

v.

BRADLEY HARPER, GEORGE LAGOS,
SHAWNA LAMB, MAY LEE DEJESUS,
CITY OF BOYNTON BEACH,

Defendants.

/

ORDER ADOPTING REPORT OF MAGISTRATE JUDGE;
OVERRULING OBJECTIONS;
DISMISSING COMPLAINT WITHOUT PREJUDICE

THIS CAUSE is before the Court upon the June 11, 2025 Report and Recommendation of Magistrate Judge William Matthewman (the “Report”) [DE 12]. The Court has conducted a *de novo* review of the Report [DE 12], Plaintiff Karen L. Bishop (“Plaintiff”)’s Objection to Report and Recommendation [DE 13], and is otherwise fully advised in the premises.

A party seeking to challenge the findings in a report and recommendation of a United States Magistrate Judge must file “written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection.” *Macort v. Prem, Inc.*, 208 F. App’x 781, 783 (11th Cir. 2006) (quoting *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989)). “It is critical that the objection be sufficiently specific and not a general objection to the report.” *Macort*, 208 F. App’x at 784 (citing *Goney v. Clark*, 749 F.2d 5, 7 (3d Cir. 1984)). If a party makes a timely and specific objection to a finding in the report and recommendation, the district court must conduct a *de*

novo review of the portions of the report to which objection is made. *Macort*, 208 F. App'x at 783-84; see also 28 U.S.C. § 636(b)(1). The district court may accept, reject, or modify in whole or in part, the findings or recommendations made by the Magistrate Judge. *Macort*, 208 F. App'x at 784; 28 U.S.C. § 636(b)(1). Accordingly, the Court has undertaken a *de novo* review of the record and Plaintiff's Objection to Magistrate Judge's Report and Recommendation.

On May 19, 2025, Plaintiff filed a *pro se* Complaint alleging violations of her First, Eighth, and Fourteenth Amendment rights under 42 U.S.C. § 1983 against Defendants City of Boynton Beach, Bradley Harper, George Lagos, Shawna Lamb, and May Lee DeJesus. *See* [DE 1]. Plaintiff claims that "Defendants, acting under color of state law, unlawfully terminated Plaintiff's essential water services, retaliated against her for exercising her constitutional right to petition the government for redress, denied her procedural due process through ex parte proceedings and refusal to accept service, discriminated against her as a *pro se* litigant, and subjected her to inhumane living conditions." *Id.* at 3. The crux of the Complaint seems to be that, since 2019, Plaintiff has not had essential water services at her residence. *Id.* at 5.

The Magistrate Judge entered a Report on June 11, 2025 recommending that the Complaint be dismissed without prejudice pursuant to 28 U.S.C. §1915(e)(2)(B)(ii) against Defendant Judge Bradley Harper, based on Plaintiff's failure to state a claim and under the judicial immunity doctrine and that the Complaint be dismissed without prejudice pursuant to 28 U.S.C. §1915(e)(2)(B)(ii) as to the remaining Defendants, and that Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [DE 3] be denied. *See* [DE 12]. The Plaintiff filed an objection and motion to amend, stating that she has made some errors and wishes to correct them in an Amended Complaint. *See* [DE 13]. The Court agrees with the Magistrate Judge's conclusions in the Report. Plaintiff's objections are overruled. However, as

this dismissal is without prejudice, Plaintiff may file an amended complaint to attempt to remedy the problems in the original complaint.

For the foregoing reasons, it is **ORDERED AND ADJUDGED** as follows:

1. The Report [DE 12] is hereby **APPROVED**;
2. Plaintiff's Objection [DE 13] is **OVERRULED**;
3. This Complaint [DE 1] is **DISMISSED WITHOUT PREJUDICE**;
4. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [DE 3] is **DENIED**;
5. Plaintiff's Motion for Temporary and Preliminary Injunction [DE 5] is **DENIED**;
6. Plaintiff's Motion for Leave to Amend Complaint [DE 14] is **GRANTED**;
7. Plaintiff's Renewed Motion to Proceed In Forma Pauperis [DE 15] is **DENIED** **WITHOUT PREJUICE** to refile in conjunction with an Amended Complaint, in the event Plaintiff files an Amended Complaint.
8. If an Amended Complaint is not filed on or before **July 1, 2025**, the Court shall close this case.
9. This case remains **REFERRED** to Magistrate Judge Matthewman. *See* [DE 10].
10. The Clerk shall email a copy of this order to the Plaintiff.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 17th day of June, 2025.



WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
Magistrate Judge Matthewman
Karen Bishop at email: canyonforest@gmail.com